

**REMARKS**

Claims 8-13 are pending in this application. By this Amendment, claim 8 has been amended. Support for the amendment can be found, for example, in Figs. 6-11. No new matter has been added.

Applicants appreciate the courtesies shown to Applicants' representative by Examiner Culbert during the February 14, 2008 personal interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

Applicants appreciate the allowance of claim 13.

The Office Action rejects claims 8-12 under 35 U.S.C. §103(as) as being obvious over U.S. Patent Application Publication No. 2002/0047172 (hereinafter "Reid") in view of WO 00/33089 (hereinafter "Mathieu"). This rejection is respectfully traversed.

Claim 8 has been amended to further clarify the subject matter recited therein. For example, claim 8 has been amended to recite "etching at least one opening in the formation layer up to the level of the front face of the sacrificial layer, and etching of the sacrificial layer through said opening such that the suspended structure is suspended over a space whose endpoints are defined by side walls of the embedding layer" (emphasis added). As agreed to during the February 14, 2008 interview, Reid and Mathieu, either alone or in combination, fail to disclose, teach or suggest at least these features of claim 8.

The Office Action asserts that Reid allegedly teaches, in Figs. 2B-2E, sidewalls of a sacrificial layer that confine a suspended structure. Applicants disagree. However, without conceding the propriety of the rejection, claim 8 has been amended to further clarify the features recited therein.

Reid fails to disclose, teach or suggest the above-recited features of amended claim 8. Reid fails to provide any disclosure of etching an opening in a formation layer, and etching a sacrificial layer through the opening.

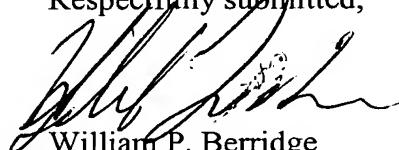
Further, Reid fails to disclose a suspended structure that is suspended over a space whose endpoints are defined by side walls of an embedding layer, as recited by claim 8. Reid discloses no structure that corresponds to the embedding layer of claim 8. Plug 44 cannot correspond to the embedding layer of claim 8 at least because side walls of plug 44 do not define endpoints of a space over which a suspended structure is suspended. Clearly, layer 46 is suspended beyond side walls of the plug 44.

Therefore, claim 8, and claims 9-12 which depend therefrom, are patentable over the combination of Reid and Mathies. Accordingly, withdrawal of the rejection is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachments:

Request for Continued Examination  
Petition for Extension of Time

Date: February 22, 2008

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